

EDMONDS CITY COUNCIL APPROVED MINUTES

January 13, 2015

The Edmonds City Council meeting was called to order at 6:30 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Diane Buckshnis, Council President
Kristiana Johnson, Councilmember
Lora Petso, Councilmember
Joan Bloom, Councilmember
Adrienne Fraley-Monillas, Councilmember
Thomas Mesaros, Councilmember

STAFF PRESENT

Al Compaan, Police Chief
Phil Williams, Public Works Director
Carrie Hite, Parks & Recreation Director
Shane Hope, Development Services Director
Linda Coburn, Municipal Court Judge
Mike Clugston, Planner
Jeff Taraday, City Attorney
Linda Hynd, Deputy City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. CONVENE IN EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING PER RCW 42.30.140(1)(a)

At 6:30 p.m., Mayor Earling announced that the City Council would meet in executive session to discuss collective bargaining per RCW 42.30.140(1)(a). He stated that the executive session was scheduled to last approximately 30 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Petso, Bloom and Mesaros. Others present were Sharon Cates, City Attorney's Office, City Attorney Jeff Taraday, MaryAnn Hardie, Public Works Director Phil Williams and Deputy City Clerk Linda Hynd. The executive session concluded at 6:59 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:03 p.m.

2. ROLL CALL

Deputy Clerk Linda Hynd called the roll. All elected officials were present.

3. APPROVAL OF AGENDA

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE AGENDA IN CONTENT AND ORDER, MOVING ITEM 11 TO 7A. MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Johnson requested Item A be removed from the Consent Agenda.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE REMAINDER OF THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- B. APPROVAL OF CLAIM CHECKS #212286 THROUGH #212410 DATED JANUARY 8, 2015 FOR \$541,643.82**
- C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM PHILIP CHRISTENSEN (\$158.68)**
- D. AUTHORIZATION FOR THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LYNNWOOD AND THE CITY OF EDMONDS FOR JOINT FUNDING OF THE RECYCLING COORDINATOR**
- E. CONFIRMATION OF MUNICIPAL COURT JUDGE LINDA COBURN**

Item A: APPROVAL OF CITY COUNCIL MEETING MINUTES OF JANUARY 6, 2015

Councilmember Johnson requested the following correction be made to the minutes:

- Page 4, second paragraph from the bottom, “Mr. Taraday offered to review the statute; he did *not* believe it would be appropriate because although the Council can adjourn to executive session to discuss the qualification of a candidate for appointment to a vacancy, but did not think it was appropriate in this circumstance.”

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO APPROVE ITEM A AS AMENDED. MOTION CARRIED UNANIMOUSLY.

5. SWEARING IN OF NEWLY CONFIRMED MUNICIPAL COURT JUDGE LINDA W. Y. COBURN

The Honorable Judge Stephen Dwyer, Court of Appeals, administered the Oath of Office to Municipal Court Judge Linda W. Y. Coburn.

Mayor Earling led the flag salute.

6. AUDIENCE COMMENTS

Bruce Barstow spoke regarding Item 9, City Hall Exterior ATM Concession Agreement. If approved by the Council, the agreement requires payment for use of the property be made to the City at the first of month. As the payment is based on revenue from the prior month, he requested the agreement be changed to require payment the following month for the previous month. He referred to an existing agreement with Parks for another ATM that states the concessionaire shall pay the City on or before the 15th of each month during the term of this agreement the amount of 10% of the receipts for the previous month.

Roger Hertrich, Edmonds, relayed his concern with the dimensions of the pathway or as he calls it, large sidewalk, on Sunset Avenue. He relayed his understanding that the dimensions for a combined pathway are 10 to 15 feet. Special features are required for an 8-foot pathway such as proper signage which has not been installed on Sunset. He recommended eliminating the trial program on Sunset Avenue and starting over and replacing the bike lane on the east side which worked well in the past. He acknowledged bicyclists leaving the ferry traveling north cannot make a left turn on Sunset and will use 3rd Avenue instead. Next, he expressed concern with the as yet unsettled \$1.6 million bill from Fire District 1. He requested the Council consider reestablishing its own fire department which would provide authority over the budget and management of the department. Fire District 1 operates on its own similar to the SnoIsle Library District and the City has no oversight.

Ron Wambolt, Edmonds, explained the \$1.6 million Fire District 1 bill represents a 3.47% increase per year since the contract began in 2010. Cost increases in the prior 4 years were well over that amount, approximately 5.5%. He summarized there is no question the City saves money with the Fire District 1 contract and anyone who says otherwise does not have the facts.

7. GROWING TRANSIT COMMUNITIES PROGRAM

Sara Maxanna, Principal Planner, Growth Management Department, Puget Sound Regional Council (PSRC), explained Growing Transit Communities (GTC) Program was born out of a desire to address key challenges to implementing Vision 2040, and the desire to accommodate the tremendous amount of population growth that the region is expecting in the next 30 years in designated centers and particularly in areas that have regional investments in high capacity transit.

She described the GTC Program that was funded via a HUD Sustainable Communities Grant:

- \$5 Million, 3 Year effort
- Corridor Action strategies
 - Growth near transit
 - Housing affordability
 - Access to opportunity
- Regional Equity Network
 - Regional consortium, local grants
- Affordable housing
 - Regulatory and financial tools
- Demonstration Projects

She reviewed components of the Implementation Framework

- The Pledge: Regional Compact
 - Problem statement
 - Vision statement
 - Goals: desired outcomes
 - Ongoing regional collaboration
 - Consider toolkit of strategies
 - Regional Goals
 - Attract more of the region's residential and employment growth to high capacity transit communities
 - Provide housing choices affordable to a full range of income near high capacity transit
 - Increase access to opportunity for existing and future residents of transit communities
 - The 40 compact signatories (as of January 2015) include:
 - 15 local jurisdictions
 - 9 other public agencies/institutions
 - 16 non-governmental organizations
- The Playbook: Toolkit and Typology
 - Toolkit of Strategies and Actions
 - Foundation strategies
 - Attract growth
 - Housing choices
 - Access to opportunity
 - People + Place Implementation Typology
 - 74 study areas
 - 8 implementation approaches

- Protect and Grow
- Expand Housing Choices
- Improve Access
- Transform and Diversify
- Stimulate Demand
- Build Urban Places
- Enhance Community
- Preserve and Connect
- The Plans: Partner Status Reports
 - Local approaches to implementation
 - Regional TOD Advisory Committee
 - Committee purpose: Advance the GTC Strategy
 - Provide guidance to PSRC and other partners
 - Build coalitions across the region
 - Generate support at regional, state and federal levels
 - Committee Work Program
 - 2014: Guidance for local comprehensive planning
 - 2014: Recommended state legislative priorities
 - 2015: Guidance on PSRC policy framework for the transportation funding
 - 2015: Guidance on designation of subregional/countywide centers
 - 2015: Guidance on outreach events and technical assistance

Councilmember Petso asked whether there were any designated centers in Edmonds. Ms. Maxanna answered no, Edmonds is designated in the regional geography of vision 2040 as a larger city so there are some growth targets but Edmonds does not have a regionally designated growth center or manufacturing/industrial center. Councilmember Petso asked if there were any areas in Edmonds that are served by high capacity transit. Ms. Maxanna responded Edmonds has the Swift BRT on the Highway 99 corridor with at least one station in Edmond, the Sounder station and the ferry terminal. Whether those are considered high capacity transit depends on the definition of high capacity transit. PSRC is considering how to define high capacity transit, whether it is frequency, number of people transported. The GTC process recognized although the focus was primarily on the future light rail corridors in the region, light rail is not the only meaningful mode of public transportation in the region; there are streetcars, commuter rail, ferry terminals, BRT in two counties, and they are all meaningful at the local and regional level.

Councilmember Petso supported making that distinction with the ferry terminal; if it is viewed as an appendage to the state highway system, it is not transit, but a way to move cars. She expressed interest in learning the numbers of people using the ferry as a means of transit prior to declaring it a high capacity transit system. Development Services Director Shane Hope answered regardless of the ferry's status, Edmonds has high capacity transit such as BRT and the Sounder station. She clarified this advisory committee provides a means of coordinating with other jurisdictions and transit agencies about the needs for access, what can be done to make communities more walkable, make connections, and make coordination between the transit modes work better. There are no requirements for cities and counties to participate in the process but it is a way to share ideas, look at different opportunities and to think holistically about equity so it is not just about a certain group of riders such as commuters but also people who need to use transit in their everyday lives.

Councilmember Buckshnis referred to strategies for affordable housing, commenting the majority of Edmonds is built out. She inquired about language regarding implementing a TOD property acquisition fund. Ms. Maxanna answered many peer regions have developed TOD or property acquisition funds. The intent is a revolving loan program that can be used to help secure properties before transit is built and

prices increase. A subcommittee looked at capital in peer programs in Denver, San Francisco, Minneapolis and other jurisdictions and has a suite of recommendations for creating a similar program in this region. Via A Regional Coalition for Housing (ARCH), King County, Seattle and several eastside cities pledge commitments to such a fund and there is discussion at the State level regarding possible revenue sources for matching funds as well as Snohomish and Pierce County participating in that fund. Such a program would be managed by an equity manager. There would need to be a threshold commitment first.

Councilmember Buckshnis commented Portland has a small business lending program that helps stimulate business. Ms. Maxanna advised offered to forward the business management plan as well as other materials that have been developed.

Councilmember Bloom referred to the two areas identified for affordable housing in Edmonds, commenting Highway 99 seems appropriate but near the Sounder station does not due to the cost of property in that area. She asked whether the goal was to focus on areas that are more reasonable to develop cooperative relationships with funding partners to create affordable housing. Ms. Maxanna answered the goal at the regional level is to help facilitate what the local level wants. In jurisdictions that have multiple station areas, the vision for some may be for more growth, opportunity to leverage the investment and partner with affordable housing providers and the vision for other station areas may be to remain single family. There is nothing in this effort that designates station areas; this is only partnering and supporting the local jurisdiction's vision for the community. For example, if Edmonds envisions the Highway 99 corridor as an opportunity to provide affordable housing, this program could assist by identifying what other jurisdictions are doing to achieve that as well as provide meaningful tools and ways to partner and promote more tools at the State level.

Councilmember Bloom referred to pedestrian/emergency vehicle access over the railroad tracks to the waterfront and asked whether there would be opportunity to partnering on that to provide increased walkability at the Sounder station. Ms. Maxanna answered GTC partners primarily at a higher policy development level or tool implementation to support broader goals within a subarea or jurisdiction. Ms. Hope responded it depends, the idea is more walkability in options, but the focus is the community vision so there could be different ways to partner. PSRC is also instrumental in providing funds; PSRC distributes federal funds in accordance with a process. She summarized Councilmember Bloom's potential project would not be a specific GTC agenda item but possibly could fit in the bigger picture.

Councilmember Johnson asked Ms. Maxanna to comment on coordination between the local Comprehensive Plan and the work being doing at PSRC. Ms. Maxanna answered PSRC has a standing plan review program that reviews all Comprehensive Plans pursuant to State statute and certifies the Transportation Element and transportation-related components of Comprehensive Plans. GTC staff is working closely with plan review staff including reviewing Comprehensive Plans of jurisdictions with high capacity transit. GTC has not created new mandates or requirements in the plans but as draft plans are reviewed, jurisdictions with high capacity transit and/or jurisdictions that have signed onto the GTC compact are asked to identify station areas in their communities. PSRC is also encouraging those cities to establish goals for the station areas or a process for establishing goals. The third component is to identify actions to achieve those goals. She emphasized this is all advisory; many jurisdictions have accomplished the first steps.

Councilmember Petso inquired about the link with the Comprehensive Plan, assuming Highway 99 will always support transit in some form. The question of whether the waterfront area will support high capacity transit is often in debate because of the situation with Sounder such as landslides as well as the economics that do not work. Ms. Maxanna agreed there may be different visions for those areas of the City. It is completely up to the local jurisdiction to identify what they envision in each area.

Councilmember Bloom asked the next step. Ms. Hope answered it would be providing information to the Council to decide whether to participate via signing the compact. The compact is good faith agreement.

Council President Fraley-Monillas observed joining the compact would give Edmonds a voice at the table which Edmonds currently does not have. Ms. Maxanna agreed, noting the committee meets quarterly and provides advice and recommendations to the Growth Management Policy Board that influence regional policy.

Mayor Earling commented Lynnwood, Mountlake Terrace, Everett, Snohomish County and Shoreline are parties to the compact. He was hopeful the Council would be interested in signing the compact.

11. REVIEW OF PROPOSED CHANGES TO EDMONDS CITY CODE, CHAPTER 10.16 CEMETERY BOARD

Melissa Johnson, past Cemetery Board Chair and Vice Chair this year, and Jerry Janacek, incoming Cemetery Board Chair, introduced themselves.

Parks & Recreation Director Hite explained the Parks Department has been working with the Cemetery Board on revisions to the Edmonds City Code related to the Cemetery Board. The Board has experienced difficulty maintaining seven members and two alternates. There are currently six members and efforts will continue to recruit a seventh member. Without seven members and two alternates, the Board is not in compliance with the code. The Cemetery Board does not see a need for the alternate positions.

She reviewed the proposed revisions:

- Change the board to up to seven member and eliminate the two alternates
- Eliminate reference to alternates
- Add language regarding officers, meeting and quorum that mirrors other boards/commissions
- Powers of board – revised to reflect current function of the board
- Annual report

Ms. Hite advised the 2014 and 2015 budgets included a subsidy for the cemetery; the year ended positively with the subsidy. The cemetery has 8,000 grave sites and 2,000 yet to be sold; 250 of the 680 niches have been sold, leaving 430. Parks works with the Cemetery Board on price comparisons and adjusts prices as needed; a major overall of the pricing structure was implemented last year. The City's capital project budget includes \$100,000 in 2016 for mapping. She noted the cemetery is currently not mapped at all; it is all in Sexton Cliff Edwards' head. Mapping will make it easy to identify plots.

Board Member Janacek said people often ask why anyone would want to be on Cemetery Board. His great grandfather, Thomas White, donated the property where the Edmonds Cemetery is located and he has many relatives buried there. The issue during the past year has been having a quorum. Two new members have been recruited to bring the board to six. The proposed changes will bring the board's practices in compliance with the City's code.

Councilmember Mesaros observed the code requires a majority for a quorum. Ms. Hite advised with six or seven members, a majority is four.

Councilmember Petso observed the code states in 10.16.020 members of the Cemetery Board may be removed by the Mayor with approval of City Council after a public hearing before the City Council for inefficiency, neglect of duty, malfeasance, etc. Ms. Hite advised that language mirrors most other boards and commissions. Councilmember Petso referred to 10.16.060, Funds for improvement and maintenance

of the cemetery, relaying concern with a possibly inconsistency between the code, the budget and the resolutions that started the two funds related to the cemetery. She suggested Ms. Hite review that to ensure practices are consistent. Mr. Hite agreed.

Councilmember Buckshnis recalled the Hubbard Family Trust provided funds that are used for maintenance. Ms. Hite said those funds have not been depleted. Councilmember Buckshnis was satisfied with scheduling the proposed changes on a future Consent Agenda.

Councilmember Johnson thanked Ms. Johnson and Mr. Janacek for their service and Mr. Janacek's family for donating the land. She expressed appreciation for the Walk Back in Time and the Memorial Day Service.

It was the consensus for the Council to schedule approval on next week's Consent Agenda week. Ms. Hite will do the requested research and if there are any inconsistencies that need to be addressed in 10.16.060, she will email the Council the changes that will be reflected in the document.

8. REVIEW OF SHAW LANE FINAL PLAT AT 8620 218TH ST. SW. (FILE # PLN20120043)

Planner Mike Clugston explained Echelbarger Investments has applied for final approval of the Shaw Lane Plat. He provided the following information:

- Review of Final Plants ECDC 20.85.155.D
 - Type IV-A decision by City Council
 - If the City Council finds that the public use and interest will be served by the proposed subdivision and that all requirement of the preliminary approval in this chapter have been met, the final plat shall be approved and the mayor and city clerk shall sign the statement of the city council approval on the final plat
 - City Council approval of the final plat constitutes acceptance of the dedications shown on the final plat

Mr. Clugston reviewed the seven exhibits in the packet:

- Exhibit 1: Hearing Examiner's preliminary plat decision
- Exhibit 2: Preliminary plat staff report and attachments
- Exhibit 3: Shaw Lane civils
- Exhibit 4: Shaw Lane final plat
- Exhibit 5: Shaw lane CCRs
- Exhibit 6: Final cover letter by applicant
- Exhibit 7: Engineering memo describing completion

Mr. Clugston identified the location of Shaw Lane on an aerial photograph, approximately ½ mile south of Five Corners and ¼ mile west of Chave Lake Elementary School. He provided the following information regarding the plat:

- Zoned RS-8
- 1.45 acres
- 6 lots
- Private road, utilities
- City maintains stormwater easement
- 10-foot right-of-way dedication to widen 218th and install curb, gutter and sidewalks
- Plat improvements are private and maintenance described in CCRs

Mr. Clugston summarized:

- Staff recommends approval

- All conditions of preliminary approval met
- All civil improvements installed and inspected
- Performance bond in place, maintenance bond will be retained
- Directors of Public Works and Development Services will sign final plat
- Acceptance resolution and homeowners association CCRs reviewed by City Attorney
- Recommend forward to Consent Agenda on January 20 for final approval

Councilmember Bloom asked about trees on the property. She referred to reference in Exhibit 1 regarding 4 criteria that must be met, the first is whether the proposed subdivision retains environmental resources. She inquired about the other three criteria to be met. Mr. Clugston referred to page 7 of Exhibit 1, Hearing Examiner's preliminary plat decision, where he addresses environmental factors to be addressed with preliminary plat approval. Preliminary plat approval is a decision made by the Hearing Examiner, not by staff. The Hearing Examiner analyzed the environmental factors and found the criterion was satisfied (line 23, page 7, Exhibit 1).

Councilmember Bloom again asked about the four criteria. Mr. Clugston identified the 4 criteria on page 7 of Exhibit 1 related to environment, street and lot layout, dedication and improvements. Councilmember Bloom relayed her understanding of Mr. Clugston's explanation that the 4 criteria he cites on page 2 are the criteria the Hearing Examiner addresses in his Conclusions of Law on page 7. Mr. Clugston agreed.

Councilmember Bloom said trees are environmental resources. She questioned how the decision was made related to the trees as there was no reason to remove two trees other than a request by nearby property owners. She asked if the trees had already been removed. Mr. Clugston was not sure which trees Councilmember Bloom was referring to; there were a number of trees shown to be removed as part of the plat improvements. He referenced Exhibit 2, Attachment 4. At the hearing neighbors to the east discussed removing additional property line trees that they felt would be negatively impacted by the development. The Hearing Examiner took that under consideration and allowed removal during plat improvements. Mr. Clugston referenced Condition 2 in the Hearing Examiner's decision, the applicant is authorized to remove trees along its shared boundary with the Connelly and Hepler properties.

Councilmember Bloom relayed her understand that Mr. Connelly stated at the hearing that the trees had been topped recently and branches were falling. She asked whether those trees were determined to be hazardous. Mr. Clugston advised Mr. Connelly submitted photographic evidence that they were.

With regard to the trees along the property line, Councilmember Bloom referenced a statement by Mr. Clugston at the hearing that normally the City would retain trees along the property line and roots would be protected during development. She asked whether those trees were subsequently removed even though they would normally would be retained and protected. Mr. Clugston answered yes, the trees along the property line were removed; normally those would have been proposed to be retained but the Hearing Examiner allowed them to be removed because the neighbors indicated they were hazardous.

Councilmember Bloom said those were not identified as hazardous, they were trees along the property line that were not determined to be hazardous but the Heplers who live across street requested they be removed. There was nothing in the report about the trees being hazardous. She asked whether the trees were removed and if so, why they were removed if they were not hazardous. Mr. Clugston referred to Sheet C3, Exhibit 3, approved civil plan, which shows the extent of clearing and grading proposed with development of plat and identifies trees to be removed and retained as part of plat development.

Councilmember Bloom suggested using information from this decision to inform the proposed new tree code. It was her understanding two trees that were not hazardous along the property that could have been protected during development were removed. Although trees along the property line are normally retained

and roots protected during development, the Hearing Examiner gave permission to remove the trees at the request of neighbors. Mr. Clugston agreed. Councilmember Bloom quoted from Exhibit 1, page 5 paragraph 4, "The City cannot mandate the removal of the trees. However to the extent that the City's tree retention requirements are red to encourage the retention of the trees, this decision will authorize their removal." She asked what the City's tree retention requirements are and why the Hearing Examiner authorized removal. Mr. Taraday responded right or wrong, it is too late to challenge that decision; the Hearing Examiner essentially authorized removal of the trees in his decision.

Councilmember Bloom asked for an explanation of the sentence she quoted. Mr. Taraday explained the Hearing Examiner was saying if the City's code would ordinarily encourage retention, the people who spoke at the hearing provided him a rational basis for making an exception to the general rule of retention and he was authorizing the trees to be removed. Councilmember Bloom suggested this be used to inform the new tree code and suggested Development Services Director Shane Hope research whether there is stronger tree retention in the new tree code. Councilmember Bloom observed an environmental asset was lost with the removal of those two trees and there was no reason for them to be removed. She commented the City's tree canopy is fast disappearing which is concerning to the Tree Board.

Councilmember Petso doubted any stronger language could be adopted. She referred to packet page 293, a letter from Mr. Clugston that cites ECDC 18.45.050.b, "trees shall be retained to the maximum extent feasible" and "the preliminary clearing plan shows nearly every tree on the site is proposed to be removed." At the same time the few trees shown to be retained on the clearing plan appear to be located near a proposed rockery. Mr. Clugston's letter asked for clarification regarding how the requirement that trees shall be retained to the maximum extent feasible is being met. She was uncertain how stronger legislation could be adopted other than stating the Hearing Examiner shall not contravene the code.

Councilmember Petso said she drove by the site today and there are no trees left. Mr. Clugston answered there are a few along the southern boundary. He referenced Exhibit 3, Sheet C3, the clearing and grading portion of the civil plans, that shows approximately a dozen trees along the south property line were retained.

Councilmember Petso referred to the Hearing Examiner's conditions of approval that states all retained trees must be protected in accordance with 18.45.050. She asked whether the retained trees have been protected. Mr. Clugston answered yes, they were protected during plat improvements.

Councilmember Buckshnis expressed concern someone said the trees were bad but no arborist report was required. She asked whether that it was normal for a citizen to say a tree is bad and it can be removed. Mr. Clugston responded the City's tree code isn't the best and needs to be updated. No permit is required to remove trees on a single family parcel with no critical areas. With a subdivision usually only the trees located in the footprint of development are removed; the drawing shows the trees to be removed. The trees along the east property line would not have been removed without the request of the adjoining property owner. Councilmember Buckshnis observed there is nothing in the code that requires replanting. Mr. Clugston no, although replanting could have been required. Typically the developer or new homeowners landscape the lots.

Councilmember Petso asked whether replanting could have been required. Mr. Clugston answered the code allows replanting of up to three trees per tree removed. That is commonly not required with plats and short plats and individual property owners are allowed to landscape the property. The code currently does not have an in lieu of fund.

Councilmember Bloom relayed although she understood nothing can be done at this point, she requested continued discussion be scheduled for full Council on January 20 to allow her an opportunity to formulate

questions. Ms. Hope requested Councilmember Bloom submit questions to staff before the packet is prepared.

It was the consensus of the Council to schedule this for full Council on January 20.

9. CITY HALL EXTERIOR ATM CONCESSION AGREEMENT

Public Works Director Phil Williams relayed the City was approached by Bruce Barstow about placing an ATM in front of City Hall. The 6-year agreement through 2020 includes sharing of revenues from the machine. The primary reason for the agreement is not a revenue generator but to provide access to cash for people downtown during celebrations, the Summer Market, etc. The agreement involves up to 20 square feet in the alcove south of the building entrance. He advised a public hearing is required; if the ATM were located in a park, a public hearing would not be required.

Council President Fraley-Monillas inquired about Mr. Barstow's questions about payment. City Attorney Jeff Taraday did not see a need to make a change. The payment is calculated on gross receipts; even in the first month no payment would owed because there would not be any receipts from the previous month. He offered to incorporate language to make that more clear.

Councilmember Bloom commented during the Summer Market there is a booth in that location which would prevent easy access. Mr. Williams advised he will research and respond at the public hearing. Staff will work with the vendor and Facilities Maintenance Manager Jim Stevens on a precise location. Councilmember Bloom relayed the only open area during the Summer Market is in front of the door to City Hall.

Councilmember Bloom asked who will decide the color of the enclosure (orange, blue or gray). Mr. Williams asked if there was a preference. Councilmember Bloom answered gray. After a brief conference with the vendor, Mr. Williams relayed Mr. Barstow said gray was acceptable to him.

Councilmember Johnson suggested staff contact the Edmonds Museum regarding the layout of the Summer Market.

Council President Fraley-Monillas anticipated the Museum would be happy to work out an accessible location. She found the ATM a great idea and that it would encourage people to spend more money at the market. She often does not have enough cash when visiting the Summer Market.

Councilmember Petso asked for confirmation that the City has the right to terminate the agreement on 48 hours' notice without cause. Mr. Williams advised that is stated in the agreement.

It was the consensus of the Council to schedule this for a public hearing next week.

10. DISCUSSION OF THE DRAFT HOUSING ELEMENT FOR THE 2015 COMPREHENSIVE PLAN UPDATE

Development Services Director Shane Hope recalled the Council held a public hearing on the draft Housing Element on December 2. Prior to the public hearing the Planning Board discussed and reviewed the Housing Element and options for updating it. The packet includes the draft element with tracked changes, a clean version with edits included as well as background materials. Staff has been working with the Alliance for Housing Affordability (AHA) who has provided current data regarding housing needs, housing issues, housing affordability for a range of income levels, etc. A good portion of that material is included in the draft Housing Element. Other revisions to the element include updated census data, projections, etc. She identified new items in the element:

- Addition of a performance measure: Measuring the number of housing units permitted per year.
- Addition of an action item: Work on a housing strategy over the next several years. By 2019 develop ideas about what else could be done to encourage affordability

The next steps are to make any technical corrections, continue working on the other elements and bring them to the Council individually and hold a public hearing this summer on all elements. An open house will be held on February 25 as well as other public opportunity for review of the elements.

Council President Fraley-Monillas observed additional staff would be necessary to do this on a long term basis and there was not currently enough staff capacity to develop affordable housing. Ms. Hope responded the proposal is only to develop a strategy, not to fund or build housing. The strategy would be related to things the City could partner on and to identify options and things that could be done related to the code, lobbying the legislature, obtaining grants, offering incentives, etc. While additional funding/staffing would be nice, Ms. Hope said by working with AHA additional budget would not be necessary to develop a strategy.

Councilmember Petso asked the basis for the target of 112 new units per year. Ms. Hope answered it was based on the population projection out to 2035; the average is 112 units/year. She clarified that number was not required but would be used to measure performance. Councilmember Petso asked about the assumed number of occupants per household. Ms. Hope answered it is slightly more than two.

Councilmember Buckshnis said she liked how the Housing Element had been revised. With regard to the action item, she asked whether a halfway point should be identified. She observed there were a number of things that could be done such as changing zoning, incentives such as Seattle is using, etc. Ms. Hope answered the intent was not to be too detailed in the Comprehensive Plan. A housing strategy could look at options in conjunction with AHA who has indicated their willingness to work with Edmonds and other jurisdictions on developing a strategy.

Councilmember Bloom observed a great deal of text was eliminated on pages 204 and 205 related to supporting the disabled in their homes, weatherization, etc. Ms. Hope advised much of that was removed because it was not practical for the City to do and it is preferable to partner with other agencies and to encourage more partnerships.

Councilmember Bloom referred to page 209, Density Bonus. A targeted density bonus is offered for the provision of low income senior housing in the City. Ms. Hope advised that was existing language. She offered to research the density bonus.

Councilmember Bloom referred to page 209, Planned Residential Development (PRD) and the statement that PRDs can still be used to encourage the protection of environmentally sensitive lands. She suggested that has not happening with PRD development. For example, the Burnstead property used a wildlife preserve to meet open space requirements. She suggested the PRD codes need to be updated and asked whether the Comprehensive Plan should state what is occurring not what is hoped to happen. Ms. Hope relayed the challenge for this update was not to rewrite the entire Comprehensive Plan; the goal was to fine-tune language. She viewed Councilmember Bloom's comments as guidance for the code update.

For Councilmember Bloom, Ms. Hope advised accessory dwellings units (ADU) are currently allowed as an attached unit with strict standards. Councilmember Bloom asked whether a home could be constructed with an ADU and an ADU could be added to an existing home. Ms. Hope agreed an ADU could be constructed under both scenarios as long as it was attached.

Councilmember Bloom referred to Conversion/Adaptive Reuse on page 209, and asked whether anything could be done to increase the number of structures on the Edmonds Registry of Historic Places. Ms. Hope suggested continuing to work with the Historic Preservation Commission (HPC).

Councilmember Johnson relayed the HPC has begun to track demolitions as demolitions are often historic homes.

Councilmember Petso relayed she met with a citizen today who provided information regarding a method of demolition that recycles and reuses materials. Ms. Hope anticipated the code update will consider what can be done to encourage and in some cases require recycling of materials.

Mayor Earling declared a brief recess. 8:45

12. DISCUSSION ON POTENTIAL UPDATE OF COUNCIL VACANCY INTERVIEWS AND APPOINTMENT PROCESS

Council President Fraley-Monillas advised the application was made available today; applicants have until February 2 to return applications. She suggested interviews be held February 17 and 18 and, to provide time for Councilmembers to call applicants, Council deliberations be held on Tuesday, March 3.

Councilmember Petso advised she would be unable to attend the Economic Development Commission meeting on February 18. Council President Fraley-Monillas observed there were numerous conflicts; Councilmembers will need to prioritize the interviews as appointing a seventh Councilmember is the most important.

It was agreed to start interviews at 5:00 p.m. on February 17 and at 6:00 p.m. on February 18 with 40 minutes per interview.

Councilmember Buckshnis asked whether the intent was to also conduct a business meeting on March 3. Council President Fraley-Monillas answered she hoped the meeting would primarily be deliberations. It was agreed to begin deliberations at 6:00 p.m. on March 3.

Council President Fraley-Monillas referred to the interview/voting process. Councilmember Buckshnis relayed her understanding last year that the equipment does not allow the meeting to be taped but not live streamed. Council President Fraley-Monillas relayed IT is able to tape the meeting and air it later. Councilmember Buckshnis questioned whether applicants actually watched the live stream and said she preferred to live stream the interviews. Councilmember Mesaros relayed when he appointed, there were 14 interviews. The first six applicants were waiting for their turn; the later applicants had watched the interviews and knew the questions.

Council President Fraley-Monillas observed the interviews will be conducted over two days; both she and Councilmember Peterson felt it was better not to live stream the interviews but tape and air them after the interviews are concluded. She offered to double-check with IT regarding taping but not live streaming.

Council President Fraley-Monillas reviewed the proposed Edmonds City Council Interview and Voting Process:

- Prior to the Interview Meeting:
 - Staff will provide either a paper or electronic copy of all application materials for each candidate, along with a list of candidates and their interview times, and a Composite Scoring Sheet.

- At least two business days prior to the scheduled interview meeting, Councilmembers will submit one question each to the Council President, who may also submit a question for a total of seven questions.
- Council may call applicants with independent questions prior to interview

Councilmember Buckshnis suggested there may need to be more questions or less time. She suggested each Councilmember provide two questions. Council President Fraley-Monillas referred to Item 4 below.

Council President Fraley-Monillas continued her review of the proposed Edmonds City Council Interview and Voting Process:

- Open Public Interview Meeting
 - For fair and open process the interviews will not be live streamed but will be played after interviews are completed. Interviews for a vacant City Council position will be conducted in an open public meeting. Each interview of an applicant/candidate will be no longer than 40 minutes in length as follows:
 1. The applicants' order of appearance is determined by the order in which their applications were received.
 2. Only the applicant being interviewed will be allowed in Council Chambers; the other applicants will be waiting in an area to be determined by the City Clerk. After completing their interview, each applicant may remain in Council chambers.
 3. The applicant will have an opening statement to the City Council. (2 minutes)
 4. The City Council will ask a predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions, and will have 2 minutes to answer each question. (15 minutes)
 5. Councilmembers may engage in an informal question and answer period in which they may ask and receive answers to miscellaneous questions. (each councilmember will have 1 minute for a question and applicant will have 2 minutes for response)
 6. Applicant will have the opportunity for a 2 minute closing statement
 7. Councilmembers should score each applicant during the interview.
 8. The City Council may reduce the 40 minute interview time if the number of applicants exceeds six (6) candidates, or alternatively, the Council may elect not to interview all of the applicants if the number exceeds six (6) candidates.
 9. At the conclusion of the interviews, the City Council may adjourn into an Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations and votes taken by the City Council shall be in an open public session.

Council President Fraley-Monillas referred to the section regarding Reconvening the Public Meeting for Voting, under #1 each Councilmember shall submit a signed written ballot nominating their top three candidates to the City Clerk. Once all ballots are submitted, the Clerk will read aloud the Councilmember's name and their selections. The Council will, by consensus, agree to eliminate 5 candidates receiving the fewest votes, was taken from another cities' process in an effort to narrow the field of applicants.

Councilmember Bloom referred to #8 above and asked when a determination would be made whether to interview all applicants. Council President Fraley-Monillas referred to #1 on the second page under Reconvening the Public Meeting for Voting. Councilmember Mesaros suggested this would occur before interviews were conducted.

Council President Fraley-Monillas referred to alternatives for determining the interview order of candidates and voting. Councilmember Mesaros said he liked the process described under #1 on the

second page (Each Councilmember shall submit a signed written ballot nominating their top three candidates to the City Clerk. Once all ballots are submitted, the Clerk will read aloud the Councilmember's name and their selections. The Council will, by consensus, agree to eliminate 5 candidates receiving the fewest votes.), envisioning it would provide an idea of Councilmembers' top candidates prior to interviews. Council President Fraley-Monillas agreed that was her and Councilmember Peterson's intent; somehow narrowing the field of applicants to be interviewed and narrow the field further after interviews which may allow the process to proceed more smoothly than it has in the past.

Councilmember Petso said #1 on the second page is in regard to voting, not limiting the pool of applicants for interview. She did not mind limiting the pool of applicants for interview as much although she did not understand why that would be done and she will personally talk to all the applicants regardless of whether the pool of applicants is narrowed. She was not comfortable with limiting candidates during voting. She recalled instances when a compromise emerged during deliberations. She anticipated it would be more difficult to reach a compromise when a Councilmember had to vote for their first choice throughout voting. She recalled during the process of selecting a City Attorney, the Council made the mistake of reducing to two candidates. She did not support reducing candidates during nominations, anticipating it would make it harder to reach a compromise.

Councilmember Johnson commented the goal is to improve the process, be more efficient, and yet be fair. She objected to there being an opportunity through this process for a coalition that influenced the process via the elimination. She supported the idea of keeping it to a small number but it requires four votes to select a Councilmember. She suggested each Councilmember vote for their top ten to ensure a broader process. She suggested only interviewing candidates who could get four votes.

Council President Fraley-Monillas recalled she and Councilmember Peterson discussed the number because it could vary. She anticipated 20 applicants could be reduced to 10-14.

Councilmember Buckshnis asked if this was Mukilteo's process. Council President Fraley-Monillas said most of it is Mukilteo's, part of it is Shoreline's. Councilmember Buckshnis pointed out some people do not plan to apply because they plan to run for the open seat. She suggested expanding the list to 10. She summarized this will be a different selection process because the person will need to run a campaign to retain their seat.

Councilmember Petso said rather than reducing then number of ballots by reducing the number of candidates, she preferred to change the deadlock provision. Under the current process, nominations are made and voting continues until the vote is the same three times. She recalled sometimes the vote will be the same twice and then a Councilmember changes their vote followed by several rounds of unproductive voting. She suggested the Council be allowed to declare a deadlock by motion and reopen nominations and even precede that with a break if necessary rather than repeated votes to reach three identical votes. Council President Fraley-Monillas commented it may be difficult to reach a consensus on a deadlock.

Council President Fraley-Monillas asked for input regarding the number of candidates to interview. Councilmember Bloom did not want to limit the number of candidate interviews, feeling it would not be fair not to give applicants an interview. For some it is an opportunity to share concerns and talk about issues that matter to them. If they take the time to complete the application, they should be interviewed.

Councilmember Mesaros commented if the City receives 25 applications, that is a lot of interviews. Every Council meeting provides citizens an opportunity to share their thoughts. This effort is to select a new Councilmember, not to provide a forum for sharing thoughts. Most interview processes provide an opportunity to select applicants to be interviewed. The Council needs to be smart enough to make that

determination. He suggested making this decision on February 3 based on the number of applicants. This was the consensus of the Council.

Councilmember Johnson suggested only interviewing applicants that can be selected which honors everyone who applies and results in a more efficient process. During the last selection process, the Council interviewed 14 applicants and the 30 minute time limit did not include the time to provide the introduction or asking questions.

Council President Fraley-Monillas pointed out one of the reason for changing the questions on the application was to gather more/better information from applicants.

Council President Fraley-Monillas asked for input regarding the proposed interview process such as the two minute opening statement, predetermined questions, and an opportunity to submit a question. Councilmember Buckshnis suggested not limiting the time for an opening statement. Councilmember Mesaros agreed with not limiting the time for an opening statement but suggested applicants be informed of the 40 timeframe, that there will be 6 questions and 1 from each Councilmember and allow the applicant to manage their time. This was the consensus of the Council.

Councilmember Johnson commented the time limits will depend on the number of people that are interviewed.

Councilmember Bloom commented some people do not know how long they are talking. She suggested provide a cue when they have reached two minutes.

Councilmember Petso referred to #7 above regarding scoring applicants and said applicants are scored, she will provide her score sheet later to allow her time to re-watch portions of the interviews, etc.

Council President Fraley-Monillas asked for input regarding the process of voting, whether Councilmembers wanted to continue with the existing method or change it. Councilmember Buckshnis preferred to retain the way it has been done in the past. Last time was an anomaly; it had not been that time consuming in the past.

Councilmember Johnson did not like the existing process and did not want to go through 59 votes. She suggested some way of identifying people that can be selected. One way would be for Councilmembers to indicate who they would consider. Another would be to only consider people who can receive four votes. She recalled there was a voting block last time that resulted in a great deal of inefficiency.

Councilmember Petso asked what Councilmember Johnson meant by only vote on those people that can be selected. If a person can get 4 votes, they can be selected. She was unsure why people who could get four votes would be identified first and then select among them. Councilmember Johnson replied many people could get four votes and many would not. She wanted to avoid the 58 votes that did not result in 1 person receiving 4 votes. Councilmember Mesaros suggested if ten people applied, the Council could interview them all. Or, to narrow the field, each Councilmember could vote for their top 4 out of the 10, and the Council would interview the 6 applicants that get the most votes or further narrow the field by voting on the top 3. Council President Fraley-Monillas said that was Mukilteo's process.

Councilmember Bloom asked how the individuals who would get four votes would be identified in advance. Councilmember Johnson explained if the Council interviewed all applicants, rather than selecting the top 5, Councilmembers could vote for a predetermined number of candidates and voting would only progress on the applicants that received 4 votes. Councilmember Bloom did not agree a lot of candidates would receive four votes. She also did not agree with Councilmember Johnson about the

voting block; she voted for the candidate she felt was best and she made a very reasoned choice. She preferred Councilmember Mesaros' suggestion but starting with a large number of applicants.

Councilmember Petso said the process Councilmember Mesaros described is exactly what she is trying to avoid as it reminded her of the City Attorney process where a compromise choice was eliminated with only two candidates. She encouraged the Council not to do that, finding it very manipulative.

Councilmember Bloom suggested the Council may want to go into executive session more frequently to discuss the candidates if there are deadlocks.

Council President Fraley-Monillas summarized:

- Consensus reached to make a decision on February 3 regarding whether all candidates will be interviewed
- Consensus reached regarding the 40 minute interview length and informing applicants about the length of time
- No consensus reached regarding the voting process (discuss at future Council meeting)

13. DISCUSSION REGARDING CODE OF ETHICS

Councilmember Bloom said the code of ethics proposed by Council President Fraley-Monillas and Councilmember Peterson was essentially the major bullet points in Shoreline's Code of Ethics but not the sub-points. Her research found a lot of confusion between what ethics are and what conduct is. Ethics is a field of study and many professions are required to take code of ethics classes to maintain their licenses. Not including the sub-points expects the public to know what is meant by the bullet points. Shoreline's policy is succinct and gives examples under each bullet. She did not want to eliminate the specific examples, finding that watered the code down to where it was not understandable. A citizen reading the code needs those details to determine whether someone has committed a breach of ethics.

Councilmember Bloom referred to Shoreline's policy, specifically seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest. She asked Mr. Taraday to explain the last bullet point regarding reference checking: reference checking and responding to agency requests are a normal function of municipal business and is not prohibited if it does not adversely affect the operation of the City. Mr. Taraday suggested asking Shoreline. Councilmember Bloom summarized that was the only thing in Shoreline's policy that may need to be removed.

Council President Fraley-Monillas read from the proposed code of ethics, The purpose of the Edmonds Code of Ethics is to strengthen the quality of government through ethical principles which shall govern the conducted of elected and appointed officials and employees. She pointed out appointed officials and employees are covered under the code of ethics that exists for staff including department directors. The proposed code of ethics addresses only Councilmembers.

Councilmember Bloom said all other codes of ethics include elected and appointed officials which would include all the directors who are nominated by the Mayor and approved by Council. Council President Fraley-Monillas reiterated there is a separate code of ethics for staff. Councilmember Bloom asked to see staff's code of ethics. Mr. Taraday explained all employees are subject to the personnel policies which include obligations that could be considered ethical obligations. To the extent Council feels there is a gap in the obligations already placed on employees in the personnel policies, he recommended fixing that gap by supplementing the personnel policies so that anything that applies to an employee is contained in the personnel policies. He cautioned against having 2-3 different documents that outline staff's obligations.

Councilmember Bloom said she was not talking about all the employees; she was talking about appointed officials or officers, the directors who make decisions related to the code. Every ethical policy she has reviewed includes the officers. Mr. Taraday commented it is difficult to discuss in the abstract without knowing exactly what ethical obligation she was interested in imposing on a particular officer; it may already be in the personnel policies. Councilmember Bloom said what she has seen does not include what is in the code of ethics. She asked that the ethics policy in the personnel policy to be presented to the Council. Council President Fraley-Monillas referred to Attachment 3, Employee Responsibilities and Code of Ethics. She read from Attachment 3,

- All persons, representing the City of Edmonds, shall conduct business in a professional manner, respecting all citizens' rights, and showing courtesy to all.
- Their actions shall be conducted within compliance of the laws and regulations governing the City's actions, including but not limited to RCW Title 42.
- City representatives are expected to conduct business in an open manner
- They shall not engage in any conduct which would reflect unfavorably upon City government or any of the services it provides.
- They must avoid any action which might result in or create the impression of using their position for private gain, giving preferential treatment or privileged information to any person, or losing impartiality in conducting the City's business

Council President Fraley-Monillas said Attachment 3 also includes a section on outside employment and conflicts of interest and how to report improper government action. She was uncertain what else needed to be addressed in a code of ethics. The department directors are City staff and should adhere to the employee responsibilities and code of ethics in the personnel policies, not the proposed code of ethics.

Councilmember Petso shared her concern with the code of ethics concept: there are questions regarding who it applies to, whether it only applies to Councilmembers, where it applies to appointed officers which she was told also includes members of boards and commissions. She referred to one of the vouchers the Council approved where the payee is a member of a board or commission and the service purchased from that person was related to the commission on which that person serves. She questioned whether that was somewhere the City wanted to go and what was the motivation. She discovered for each ethical conflict there are a variety of responses including, 1) do nothing and approve the voucher, or 2) investigate. She summarized possibly complying with the law is good enough.

Councilmember Buckshnis recalled two instances of commissioners acting inappropriately in the last two years. She preferred the code of ethics not apply to staff as there are already personnel policies in place. She suggested starting small and expanding as necessary. Some people believe a code of ethics is very important; she believed in treating others like you want to be treated, be professional, be an adult, make decisions and move forward. She suggested minor changes could be made to the proposed code of ethics.

Council President Fraley-Monillas commented ethics mean different things to different people which is why the code was shortened and bulleted. She and Councilmember Peterson began with Shoreline's language but eliminated portions because it can be so subjective.

Councilmember Mesaros suggested the Council consider the code of ethics presented by Council President Fraley-Monillas, correcting the opening paragraph to remove employees. He felt the code of ethics should apply to boards and commissions and elected officials. He liked the brevity, simplicity and clarity of the proposed code.

Mayor Earling advised the directors are employees of the City and he would reject any other interpretation. If the Council included boards and commissions, he suggested the Council consider how they would present it to each board and commission to ensure they understood their responsibilities.

If this comes back to the Council again, Councilmember Johnson requested including the code of conduct that was adopted at the end of 2013.

For Councilmember Petso, Council President Fraley-Monillas advised the proposed code of ethics is contained in Attachment 10.

Councilmember Bloom did not agree with including the code of conduct, relaying it is different than a code of ethic and the City needs to have both. A code of ethics addresses conflict of interest; a code of conduct addresses contact and how people treat each other. She disagreed with watering down the code of ethics as people do not understand what ethics are. The bullet points in Shoreline's code offer clarity and help people understand. She recommended having an ethic officer which could be a contract position.

Councilmember Buckshnis was strongly opposed to an ethics commission because she feared it would turn into a political issue. She suggested starting small and expanding as necessary. She did not support including staff as they are already covered by the personnel policies.

Council President Fraley-Monillas suggested moving this to another study session. She agreed the code of conduct was far different than a code of ethics.

14. CONTINUED DISCUSSIONS ON THE STUDY SESSIONS

Due to the late hour, this item was postponed to a future meeting.

15. MAYOR'S COMMENTS

Mayor Earling reminded of the Snohomish County Cities meeting this Thursday. The meeting will include Congresswoman DelBene and election of AWC and other positions.

To Councilmember Buckshnis, Mayor Earling said Go Seahawks.

16. COUNCIL COMMENTS

Councilmember Buckshnis said Go Pack Go. She will be not be in town for Sunday's game but will be watching game with her husband. She thanked everyone who called her; she received numerous compliments about the last year and about various Councilmembers. She looked forward to this being a wonderful year.

Councilmember Johnson also said Go Hawks.

Councilmember Petso said Go Hawks. She relayed the Historic Preservation Commission is reviewing a certificate of appropriateness for work to the exterior and grounds of the museum property. She will make information available at the Council office.

Councilmember Bloom concurred it will be good year.

Councilmember Mesaros said he will be in Phoenix on February 1 and offered to be the City's official representative at the Super Bowl.

Council President Fraley-Monillas said Seahawks.

17. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

At 9:59 p.m., Mayor Earling announced that the City Council would meet in executive session regarding potential litigation per RCW 42.30.110(1)(i). He stated that the executive session was scheduled to last approximately 15 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. Action may occur as a result of meeting in executive session. At 10:20 p.m., Mayor Earling announced to the members present in the jury room that an additional 10 minutes would be required in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Petso, Bloom and Mesaros. Others present were City Attorney Jeff Taraday Cates, Carrie Hite, Maryann Hardie, and Deputy City Clerk Linda Hynd. The executive session concluded at 10:29 p.m.

18. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

Mayor Earling reconvened the regular City Council meeting at 10:30 p.m. There was no action taken as a result of meeting in executive session.

19. ADJOURN

With no further business, the Council meeting was adjourned at 10:31 p.m.

DAVID O. EARLING, MAYOR

SCOTT PASSEY, CITY CLERK